

UNITED STATES DISTRICT COURT

District of Massachusetts

Peierls Foundation, Inc. and E. Jeffrey Peierls,
individually, and as trustee,

Plaintiffs,

V.

James E. Rurka, Mark Skaletsky, Paul J. Mellett,
Richard Aldrich, Kate Bingham, Charles W.
Newhall III, David Schnell, and John P. Walker,

Defendants.

TO: Kate Bingham

SUMMONS IN A CIVIL CASE

CASE NUMBER:

03 CV 12213 EFH

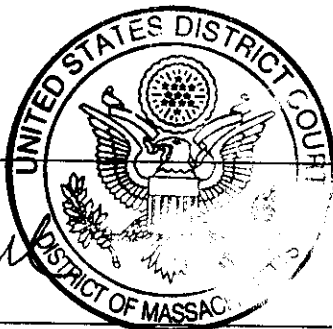
YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

David E. Marder
Robin's, Kaplan, Miller & Ciresi LLP
111 Huntington Avenue, Suite 1300
Boston, MA 02199

an answer to the complaint which is served on you, with this summons, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK



JUL 12 2003

DATE

(BY) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICEService of the Summons and complaint was made by me⁽¹⁾

DATE

January 12, 2004

NAME OF SERVER (PRINT)
Lisa Furnald

TITLE

Attorney

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: _____
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☒ Other (specify): Service accepted by Defendant's Attorney Matthew Applebaum, Bingham McCutchen LLP, 150 Federal Street, Boston, MA.. Summons and Complaint sent via First Class Mail, Postage Pre-Paid.

STATEMENT OF SERVICE FEES

TRAVEL

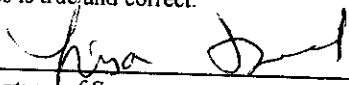
SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement Fees is true and correct.

Executed on _____
Date


Signature of Server

Address of Server

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.